

Appl. No. 10/538240
Reply to Action dated March 5, 2007
Page 5

REMARKS

Applicant respectfully request favorable reconsideration and reexamination of this application.

Claims 2 and 6 are amended editorially. There is no new matter.

Claim Objections

Claim 2 has been corrected to delete the "a" from the objected phrase. The phrase now reads "said light incidence."

The objection states that claim 6 was objected to because of the phrase "the said light incidence" (page 2 of the Office Action). However, claim 6 does not have such phrase. It is believed that the Examiner meant "the said second fitting means." Accordingly, the phrase has been corrected to "said second fitting means."

Claim Rejections - 35 USC § 102

Claims 1-11 were rejected under 35 USC 102(b) as being anticipated by Fujimoto et al. (US 6259082). Applicant respectfully traverses the rejection.

Regarding claim 1, the rejection states that Fujimoto et al. discloses a first member (Fig. 31: 3A") comprising a third fitting means (Fig. 28: 32") for mating with a potion (Fig. 25: 11") of the second member (3B") in the y direction. Applicant respectfully disagrees.

Fujimoto et al. does not disclose a first member comprising a third fitting means. If Fig. 31, structure 3A" of Fujimoto et al. could be considered a first structure, which Applicant is not conceding, it is clearly illustrated in Figs. 28 and 31 that the purported third fitting means (31") is not on structure 3A". The purported third fitting means (31") is shown to be on structure 3B" in Fig. 28. The rejection purports that structure 3B", an analogous structure to structure 3B", is the second member. Thus, the purported third fitting means, 32" is on the purported second member, and not on the first member as required in claim 1.

Further, numeral 32" is not a third fitting means for mating with a portion of the second member as required in the claim. The rejection states that numeral 11" of Fig. 25 is the portion of the second member. However, numeral 11" is on structure 10", not on structure 3B". Accordingly, numeral 11" is not a portion of the second member 3B". Therefore, if numeral 32" mates with numeral 11", then numeral 32" is not for mating with a portion of the second

Appl. No. 10/538240
Reply to Action dated March 5, 2007
Page 6

member. Further, it is illustrated in Figs. 27 and 31 that the purported first member and purported second member do not come into direct contact with each other.

The rejection also states that Fujimoto et al. discloses a first member (3A'') comprising a fourth fitting means (Fig. 31: 34a'') for mating with another portion (34b'') of the second member (3B''). Applicant respectfully disagrees.

Fujimoto et al. does not disclose a first member comprising a fourth fitting means. The purported fourth fitting means (34a'') is on the purported second member, structure 3B'', and not on the purported first member, structure 3A''. Further, the purported fourth fitting means is not for mating with another portion of the second member because the purported portion, element 34b'', is not on the purported second member, structure 3B''. The purported portion, element 34b'', is on a different and separate structure (see Fig. 31). Accordingly, Fujimoto et al. does not disclose a first member comprising a fourth fitting means for mating with another portion of the second member as required in the claim.

Applicant is not conceding that structure 3A'' or 3A''' is a first member. Applicant is not conceding that either structure 3B'' or 3B''' is a second member.

For at least the aforementioned reasons, Fujimoto et al. fails to disclose all of the required features of claim 1. Accordingly, claim 1 is patentable over Fujimoto et al. Claims 2-10 are also patentable over Fujimoto et al. for at least the same reasons as claim 1, from which they depend. Applicant is not conceding the correctness of the rejection as applied to the dependent claims 2-10. Applicant respectfully requests a favorable reconsideration of the claims.

Regarding claim 11, the rejection states that Fujimoto teaches an image reading device comprising a first member comprising a third fitting means (Fig. 28: 32'') for mating with a portion (Fig. 25: 11'') of the second member (3B'') in the y direction, and a fourth fitting means (Fig. 31: 34a'') for mating with another portion (34b'') of the second member (3B''). Applicant respectfully disagrees.

As addressed above for claim 1, the purported elements of the rejection do not disclose the required elements of claim 11. Accordingly, claim 11 is patentable over Fujimoto et al. Applicant respectfully requests a favorable reconsideration.

Appl. No. 10/538240
Reply to Action dated March 5, 2007
Page 7

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned attorney-of record, Douglas P. Mueller (Reg. No. 30,300), at (612) 455-3804.

Respectfully submitted,



HAMRE, SCHUMANN, MUELLER &
LARSON, P.C.
P.O. Box 2902
Minneapolis, MN 55402-0902
(612) 455-3800

By:


Douglas P. Mueller
Reg. No. 30,300
DPM/ajk

Dated: August 31, 2007